

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:05CR3132
v.)	
)	
JERMAINE BUCHANAN,)	
)	MEMORANDUM AND ORDER
Defendant.)	
_____)	

At the conclusion of the detention hearing I indicated that I would approve the defendant residing at the home of his sister as third-party custodian, subject to the investigation of the pretrial services officer to ensure that the home was adequate and there was no criminal record of the occupants other than that revealed in her testimony. I took the matter under advisement pending the receipt of an investigation report.

The investigation report prepared by the pretrial services officer discloses a different picture than was painted in the courtroom during the detention hearing. I therefore do not intend--at this time--to permit the defendant to reside in the home of the proposed third-party custodian. If, after a period of time in a halfway house or other supervised facility, the defendant demonstrates his ability to abide by conditions of release, I then shall reconsider the third-party custodian placement.

The matter continues under advisement, pending the defendant's acceptance into an appropriate facility. That, in turn, must await the reports of the evaluations, which the pretrial services officer shall arrange. In the meantime, the temporary order of detention remains in effect.

IT IS SO ORDERED.

DATED this 12th day of January, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge